



**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Monthly Enforcement Report**  
**for actions during July 2007**  
**DISTRIBUTED: August 16, 2007**

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*This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. This report does not include summaries of the hundreds of compliance related activities occurring every month because it is impractical to capture a sampling of those activities that would be representative of that work. Please contact Peter Carney at (207) 287-4305 or [Peter.J.Carney@Maine.gov](mailto:Peter.J.Carney@Maine.gov) for additional information regarding the activities listed in this report.*

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The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose and deter similar actions in the future.

**Administrative Consent Agreements Approved by the Board of Environmental Protection and Department of the Attorney General (violator followed by location of violation):**

*Land:*

**John Getchell, Hartland, Maine.** John Getchell ("Getchell") violated provisions of Maine's *Natural Resources Protection Act* and *Erosion and Sedimentation Control* law by placing rock and soil below the normal high water line of a Great Moose Lake, a Great Pond, while constructing stairs, installing rip rap, and undertaking vegetative stabilization on the shoreline of Great Moose Pond, and failing to utilize erosion and sediment control measures. Following Department involvement, Getchell removed the fill, properly reinstalled the rip rap, and completed restoration of the project site. To resolve the violations, Getchell attended a Department Non-Point Source Training Center Workshop focusing on erosion and sedimentation control, and paid \$1,500.00 as a civil monetary penalty.

**Brandie Hallee, Winslow, Maine.** Brandie Hallee ("Hallee") violated provisions of Maine's *Natural Resources Protection Act* and *Erosion and Sedimentation Control* law by failing to obtain a permit from the Department prior to stripping vegetation from and regrading thirty feet of shoreline along, Pattee Pond, a Great Pond and failing to take adequate measures to prevent the erosion of soils at the project site. Following Department involvement, Hallee restored the altered shoreline to the Department's satisfaction. To resolve the violations, Hallee paid \$800.00 as a civil monetary penalty.

**Hanley Construction, Inc., Bristol, Maine.** Hanley Construction, Inc. ("Hanley") violated provisions of Maine's *Natural Resources Protection Act* and *Erosion and Sedimentation Control* law by placing backfill material for the construction of a foundation, and fill material for construction of a driveway, within seventy-five feet of a stream without first receiving approval from the Department, and failing to take adequate measures to prevent erosion of soils at the project site. Following Department involvement, Hanley submitted an after-the-fact application by rule notification for the placement of fill adjacent to a stream. The after-the-fact application was approved by the Department. Additional erosion control measures were installed and the site was brought into compliance with permit by rule standards. To resolve the violations, Hanley and no fewer than four of his employees will attend a Department Non-Point Source Training Center Workshop focusing on erosion and sediment control, and paid \$2,700.00 as a civil monetary penalty.

**Maine Tree Management, Inc., New Vineyard, Maine.** Maine Tree Management, Inc. ("Maine Tree") violated provisions of Maine's *Natural Resources Protection Act*, *Water Pollution Control* laws, and *Erosion and Sedimentation Control* law while conducting a timber harvesting operation by disturbing soil in and adjacent to a stream and discharging soil to waters of the state without a permit from the Department. Maine Tree crossed a stream several times disturbing the stream bottom and banks and disturbed soil at several locations allowing sediment to discharge to the adjacent stream. Following Department involvement the site was temporarily stabilized to the Department's satisfaction. To resolve the violations, Maine Tree agreed to maintain erosion controls at the project site, conduct restoration of all areas within seventy-five feet of all stream crossing approach areas, sponsor a



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workshop to be attended by all Maine Tree employees and fifteen people in the timber harvesting business that focuses on forestry best management practices, and paid \$3,861.00 as a civil monetary penalty.

**Michael Scannon and Jay Abbotts, Boothbay, Maine.** Michael Scannon and Jay Abbotts violated provisions of Maine's *Natural Resources Protection Act* by constructing a retaining wall adjacent to a coastal wetland without the Department's prior approval. To resolve the violations, Scannon and Abbotts agreed to submit an after-the-fact application for construction of a retaining wall adjacent to a coastal wetland and, if approved by the Department, immediately comply with all terms and conditions of the after-the-fact permit. In the event that the after-the-fact application is not approved by the Department, Scannon and Abbotts agreed to submit a restoration plan with a specific time schedule to the Department and, upon approval, implement the plan. Scannon and Abbotts paid \$1,430.00 as a civil monetary penalty.

*Water:*

**Eric Clark Industries, Inc, Portland, Maine.** Eric Clark Industries, Inc. ("Eric Clark Industries") violated provisions of Maine's *Water Pollution Control* laws by failing to prevent wash water that contained pollutants, including cleaning chemicals such as soaps as well as dirt and other pollutants, from entering a storm drain that discharges into Nason's Brook while washing a fleet of trucks and trailers. To resolve the violations, Eric Clark Industries paid \$1,600.00 as a civil monetary penalty.